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Smith-Hill and Bedell, P.C.

PATENT AND TRADEMARK LAWYERS

JAN 26 2005

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Portland, Oregon 97229

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Facsimile: (503) 574-3197

John Smith-Hill

Daniel J. Bedell

FACSIMILE COVER SHEET

To: Andrew W. Wahba
Art Unit 2661

From: John Smith-Hill

Firm: US PATENT AND
TRADEMARK OFFICE

Date: January 26, 2005

Fax: 1-703-872-9306

Our ref: TUT 3098

Your ref: 09/767,000

Pages: Cover + 6

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Y. Brian CHEN

Art Unit: 2661

Application No: 09/767,000

Examiner:
Andrew W. Wahba

Filed: January 22, 2001

For: A LOCAL SWITCH FOR A BROADBAND
MULTIMEDIA TELECOMMUNICATIONS SYSTEM

TRANSMITTAL OF POWER OF ATTORNEY
REQUEST TO RESET PERIOD FOR REPLY

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

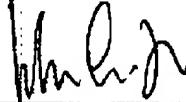
On September 9, 2004, applicant revoked all previous powers of attorney and appointed the practitioners associated with Customer No. 007812 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. A copy of the transmittal of power of attorney as filed on September 9, 2004 is submitted herewith.

The PAIR record does not reflect the change in power of attorney. It is requested that the power of attorney that was filed on September 9, 2004 be made of record and that the appropriate Notice of Acceptance of Power of Attorney and Notice Regarding Change of Power of Attorney be mailed. In accordance with the transmittal that was filed on September 9, 2004, please record 007812 as the Customer Number for this application.

On September 14, 2004, an Office Action was mailed to James R. Thein of Blakely, Sokoloff, Taylor & Zafman, LLP. Since the power of attorney in favor of the attorneys of Blakely, Sokoloff, Taylor & Zafman, LLP had been revoked by that time, it is requested that the Office Action be resent to the current attorney and that the period

for reply to the Office Action be restarted to run from the date of resending of the Action.

Respectfully submitted,

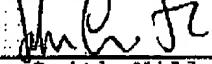


John Smith-Hill
Reg. No. 27,730

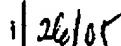
SMITH-HILL AND BEDELL, P.C.
12670 N.W. Barnes Road, #104
Portland, Oregon 97229
Tel: (503) 574-3100
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Docket: TUT 3098

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| SENT BY: SH&B; TO: PTO CENTRAL FAX | | 503-574-3197; AT: 17024973006 | REC'D-9-9-04 3:44PM; | PAGE 1 |
| <p>Smith-Hill and Bedell, P.C. PATENT AND TRADEMARK LAWYERS</p> <p>1250 NW Davis Rd, Suite 104 Portland, Oregon 97229 Telephone (503) 574-3197 Facsimile (503) 574-3197</p> | | | | |
| <p><u>Facsimile Cover Sheet</u></p> <p>To: Art Unit 2661 From: Daniel J. Bedell Firm: US PATENT AND Date: September 9, 2004 TRADEMARK OFFICE JMA: 1-703-872-9306 Our ref: TUT 3096 Your ref: US/767,000 Pages: Cover + 2</p> | | | | |
| PAGE 10 *RCVD AT 1/26/2005 6:16:22 PM [Eastern Standard Time]* SVR:USPTO-EFXRF-1/2* DNIS:8729306* CSID:503 574 3197* DURATION (mm:ss):02-10 | | | | |

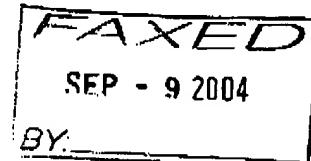
Smith-Hill and Bedell, P.C.

PATENT AND TRADEMARK LAWYERS

John Smith-Hill

Daniel J. Bedell

12670 NW Barnes Rd., Suite 104
Portland, Oregon 97229
Telephone: (503) 574-3100
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FACSIMILE COVER SHEET

To: Art Unit 2661

From: Daniel J. Bedell

Firm: US PATENT AND
TRADEMARK OFFICE

Date: September 9, 2004

Fax: 1-703-872-9306

Our ref: TUT 3098

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Y. Brian CHEN et al

Art Unit: 2661

Application No: 09/767,000

Examiner:

Filed: January 22, 2001

For: LOCAL SWITCH FOR A BROADBAND
MULTIMEDIA TELECOMMUNICATIONS SYSTEM

TRANSMITTAL OF POWER OF ATTORNEY

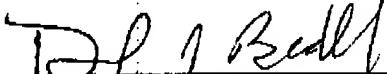
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a power of attorney. Please record
007812 as the Customer Number for this application.

In accordance with the instructions in the power of attorney,
please direct all future correspondence to the correspondence address
associated with Customer Number 007812.

Respectfully submitted,



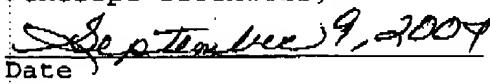
Daniel J. Bedell
Reg. No. 80,156

SMITH-HILL & BEDELL, P.C.
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Docket: TUT 3098

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Penelope Stockwell

September 9, 2005
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In re Application of

Art Unit: 2661

Y. Brian CHEN et al

Examiner:

Application No: 09/767,000

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Filed: January 22, 2001

For: LOCAL SWITCH FOR A BROADBAND
MULTIMEDIA TELECOMMUNICATIONS SYSTEMCERTIFICATE UNDER 37 CFR 3.73(b)
POWER OF ATTORNEY BY ASSIGNEE

TUT SYSTEMS INC., a Delaware corporation, certifies that it is the assignee of the entire right, title, and interest in the U.S. patent application identified above by virtue of an assignment from the inventors Y. Brian Chen, Nadine Brody, Huaiyeu Yu and Neil Weinstock to Viagate Technologies, Inc. recorded January 22, 2001 at Reel 011490, Frame 0631 and Viswa Sharma to Viagate Technologies, Inc. recorded July 2, 2001 at Reel 011959, Frame 0369 and from Viagate Technologies, Inc. to Tut Systems, Inc. by virtue of the asset purchase agreement dated September 14, 2001 recorded February 17, 2004 at Reel 014983, Frame 0710.

The undersigned declares that he is an officer of TUT SYSTEMS, INC. and is authorized to sign this certificate on behalf of TUT SYSTEMS, INC.; and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Sec. 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

TUT SYSTEMS, INC. as Assignee of the entire right, title, and interest in and to this U.S. patent application, hereby revokes any previous Powers of Attorney and appoints the practitioners associated with Customer Number 007812 (John Smith-Hill, Reg. No. 27,730 and Daniel J. Bedell, Reg. No. 30,156) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent.

Send correspondence to the correspondence address associated with Customer Number 007812.

TUT SYSTEMS, INC.

By: C.H. Van DusenName: C.H. VAN DUSENTitle: VP & CTODate: SEPT 1, 2004